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September 17, 2010

MEMORANDUM FOR: Base Realignment and Closure Division (DAIM-OBD) Office of the  
Assistant Chief of Staff for Installation Management (OACSIM)  
Attention: John P. DeBack

Reference:

Memorandum of Understanding (MOU) between Army Material Command (AMC) and  
Defense Logistics Agency (DLA) for Disposal of AMC-Owned, DLA-Operated Base Closure  
Properties dated August 25, 1995.

DLA-Army Pre-Transition meeting held on July 29, 2010, Springfield, VA.

For your review, attached is the Statement of Condition (SOC) for the former Defense Depot  
Memphis, Tennessee (DDMT) prepared in accordance with the 1995 MOU for Disposal of Base  
Closure Properties. As demonstrated herein, the conditions for transfer of responsibility for  
clean-up costs and compliance at the former DDMT from DLA to Army have been met in  
accordance with the MOU, as described in the SOC. The MOU provides a 60-day review period.

In accordance with the MOU, Army shall assume responsibility for caretaking and disposition,  
upon review and approval of this SOC. DLA requests that this assumption occur before January  
1, 2011.

My designated Point of Contact for questions on the SOC is Tom Holmes, HDR|e<sup>2</sup>M at (404)  
237-3982.

MICHAEL A. DOBBS  
Chief  
Environment, Safety  
& Occupational Health Office



# Memorandum

**To:** John Hill, CIV AFCEE/EXA  
Mike Dobbs, DES-DDC-EE

**From:** Tom Holmes

**Date:** 14 September 2010

**Re:** **Statement of Condition**  
**Former Defense Depot Memphis, Tennessee**

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HDR|e<sup>2</sup>M has prepared this Statement of Condition (SOC) to document the status of environmental remediation at the former Defense Depot Memphis Tennessee (DDMT). The SOC was prepared for the Defense Logistics Agency under Contract FA8903-08-D-8771, Task Order 0069 to the Air Force Center for Engineering and the Environment.

The *Memorandum of Understanding between the Army Materiel Command (AMC) and Defense Logistics Agency (DLA) for Disposal of AMC-Owned, DLA-Operated Base Closure Properties* (MOU) was signed in August 1995. The relevant sections regarding this SOC are as follows:

- **Purpose:** ...In general, the DLA will be responsible for clean-up costs and compliance at the real estate up to the time that the appropriate regulatory agency determines that the land is suitable to transfer. The Army will be responsible for all costs subsequent to the approval of a Statement of Condition.
- **Responsibilities:**
  - I.A. Existing real estate permits require DLA to return the AMC properties in a condition satisfactory to the Secretary of the Army. It is agreed that “a condition satisfactory to the Secretary of the Army” is one where environmental remediation has proceeded to the point where the property legally can be transferred by deed to a private, non-federal entity under CERCLA 120(h).
  - I.D. ... Upon completion of the SOC review, AMC will assume responsibility for caretaking and disposition, including funding of any continuing remedial activities and any additional remediation found necessary after the date of the transfer.

The conditions for transfer of responsibility for clean-up costs and compliance at the former DDMT from DLA to AMC have been met in accordance with the MOU, as described in the following documentation:

- All construction required for implementation of selected remedies has been completed as documented in the USEPA *Preliminary Close-Out Report* approved 10 May, and the former DDMT was designated Superfund Construction Complete, also on 10 May 2010.

- All property on the former DDMT has been approved for transfer to non-federal entities as shown on the following table. The final two Findings of Suitability to Transfer (Numbers 5 and 6) were approved by Army on 12 July and 2 August 2010, respectively.
- The U.S. Environmental Protection Agency (USEPA), the appropriate regulatory agency per the MOU, has determined that the property is suitable for transfer through their approval of the FOSTs prior to approval by Army and through the *Superfund Property Reuse Evaluation Checklist for Reporting the Sitewide Ready for Anticipated Use Measure*, approved 26 May 2010.

Therefore, in accordance with the MOU, it is appropriate that AMC shall assume responsibility for costs, caretaking, and disposition upon review and approval of this SOC. DLA requests that this assumption occur effective 1 October 2010.